

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

OWEN W. BARNABY,)
Plaintiff)

Vs.

MICHIGAN STATE GOVERNMENT) Case No. 1:22 -CV- 1146
HON. GRETCHEN WHITMER GOVERNOR OF MICHIGAN) Hon. Robert J. Jonker
HON. JENNIFER GRANHOMLM GOVERNOR OF MICHIGAN) Hon. Mag. Sally J. Berens
HON. RICK SNYDER GOVERNOR OF MICHIGAN)
KENDELL S. ASBENSON (P81747))
MICHIGAN ATTORNEY GENERAL DANA NESSEL)
Defendants)

AMENDED OR LEAVE TO AMEND
CIVIL COMPLAINT: 28 U.S.C. §1331; §1332(a);
42 U.S.C. §1983; First, Fourth, Fifth, Fourteenth
Amendments; Forgeries and Retaliation.

CITY OF BENTON HARBOR)
NILES CHARTER TOWNSHIP,)
BOARD OF TRUSTEES OF, NILES CHARTER TOWNSHIP)
BERRIEN COUNTY GOVERNMENT,)
BERRIEN COUNTY BOARD OF COMMISSIONERS)
BRET WITSKOWSKI TREASUSER OF, BERRIEN COUNTY)
BRET WITSKOWSKI INDIVIDUAL CAPACITY)
SHELLY WEICH TREASUSER OF, BERRIEN COUNTY)
LORI D. JARVIS REGISTRAR OF BERRIEN COUNTY)
LORA L. FREEHLING REGISTRAR OF BERRIEN COUNTY)
KATHLEEN CULBERSON NOTARY PUBLIC OF BERRIEN COUNTY)

ATTORNEY DONNA B. HOWARD)
ATTORNEY MCKINLEY R. ELLIOTT)
ATTORNEY JAMES MCGOVERN)
ATTORNEY JEFFREY R. HOLMSTROM)
HOLMSTROM LAW, PLC)
STATE BAR OF MICHIGAN, for the State of Michigan)
Defendants)

THE HONORABLE ELIZABETH T. CLEMENT, C.J)
THE HONORABLE BRIDGET M. Mc CORMACK C.J)
SUPREME COURT OF MICHIGAN, for the State of Michigan)

THE HONORABLE ELIZABETH L. GLEICHER, C.J)
THE HONORABLE CHRISPHER M. MURRAY, C.J)
MICHIGAN COURT OF APPEALS, for the State of Michigan)

THE HONORABLE ALFRED M. BUTZBAUGH, F.C.J)
THE HONORABLE MABEL J.MAYFIELD, C.J)
THE HONORABLE GARY J. BRUCE, C.J)
BERRIEN COUNTY TRIAL COURT, for the State of Michigan))

Defendants

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**PLAINTIFF’S MOTION IN OPPOSITION TO,
DEFENDANTS STATE OF MICHIGAN, GOVERNOR GRETCHEN WHITMER,
FORMER GOVERNOR JENNIFER GRANHOLM, FORMER GOVERNOR RICK
SNYDER, MICHIGAN SUPREME COURT, KENDELL ASBENSON, AND ATTORNEY
GENERAL DANA NESSEL’S MOTION TO DISMISS SECOND AMENDED
COMPLAINT**

Plaintiff, In Pro Se, Owen W. Barnaby, request that this Your Honorable Court, **Denied** Defendants’ Motion to Dismiss Plaintiff’s Complaint (ECF Nos. 10, 36) under Fed. R. Civ. P 12(b)(1) and (6) as this Court has Jurisdiction to hear Claims that Defendants’ Retaliations deterred from earlier coming before the court and issues which were decided on their merits, and that Defendants’ Immunity defense is moot and to award Plaintiff the full damages he warrants to the tune of \$18, 474,907.40, which is good through January of, 2023, and to **Grant** Declaratory Judgment against, ‘Defendant –State Bar of Michigan’ and ‘Defendant –Michigan Supreme Court’ as follows that, **One**, Judge Butzbaugh’s August 18, 2010, Judgment is [**not**] against Barnaby and that, all other related State Court’s Orders connected to or relying on Judge Butzbaugh’s August 18, 2010, Judgment against Barnaby are **Void**; **Two**, Mr. Witskowski’s, misconducts are acts of forgeries and unauthorized practice of law, (UPL), because of ‘Defendant –State Bar of Michigan’, failure to file an answer to Plaintiff’s Complaint or a motion under Rule 12. (ECF Nos. 28, 32)

The request is based on the Brief in Support filed with the request facts and legal authorities and arguments contained in the Supporting Brief.

Respectfully Submitted,

Dated: January 17, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

CERTIFICATE OF SERVICE

The undersigned states that on the 17th day of January 2023, a duplicate original of Plaintiff's, "Opposition Motion with Supporting Brief", was filed with the Clerk of the Court, using the ECF System, which will provide electric notice to the parties of record, and I have email or mailed by U.S. Postal Service the same to non-ECP participants Defendants.

Respectfully Submitted,

Dated: January 17, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.